

20080429000173720 1/3 \$17.00
Shelby Cnty Judge of Probate, AL
04/29/2008 09:53:15AM FILED/CERT

STATE OF ALABAMA)
SHELBY COUNTY)

**FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR WISTERIA, A RESIDENTIAL SUBDIVISION**

WHEREAS, on or about September 20, 2007, the undersigned The Danville Group, L.L.C. recorded a Declaration of Covenants, Conditions and Restrictions for Wisteria, a Residential Subdivision ("Declaration") as Instrument 20070920000441100 in the Probate Office of Shelby County, Alabama; and

WHEREAS, Wisteria Development Company, LLC is the owner of Lots 1, 3, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29, according to the Survey of Wisteria, as recorded in Map Book 39, page 23, in the Probate Office of Shelby County, Alabama; and

WHEREAS, A. J. & Sons Construction, L.L.C. is the owner of Lots 2, 4 and 6, according to the Survey of Wisteria, as recorded in Map Book 39, page 23, in the Probate Office of Shelby County, Alabama; and

WHEREAS, Owners desire to amend the Declaration.

NOW, THEREFORE, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the undersigned, representing all the managing members and all of the Owners hereby amend the Declaration as follows:

1. Paragraph 5.7 Lighting. All exterior lighting of Dwellings shall be in character and keeping with the general Subdivision. Yard lighting shall be such that it does not shine toward and/or disturb adjoining land Owners. Except as expressly stated herein, all other terms and provisions of said Paragraph 5.7 shall be deleted.

2. Paragraph 5.12 Signs. Any sign displayed for the purpose of selling or renting a residence shall include the community logo, to be ordered through the Architectural Review Committee. Except as expressly stated herein, all other terms and provisions of Paragraph 5.12 shall remain in full force and effect.

3. Paragraph 5.18 Fences. White vinyl fencing shall not be permitted. Except as expressly stated herein, all other terms and provisions of Paragraph 5.18 shall remain in full force and effect.

4. Paragraph 5.19(a). The provisions of this paragraph shall not apply to side courtyard areas. Except as expressly stated herein, all other terms and provisions of Paragraph 5.19(a) shall remain in full force and effect.

5. Paragraph 5.19(d). Tree houses shall not be permitted. Except as expressly stated herein, all other terms and provisions of Paragraph 5.19(d) shall remain in full force and effect.

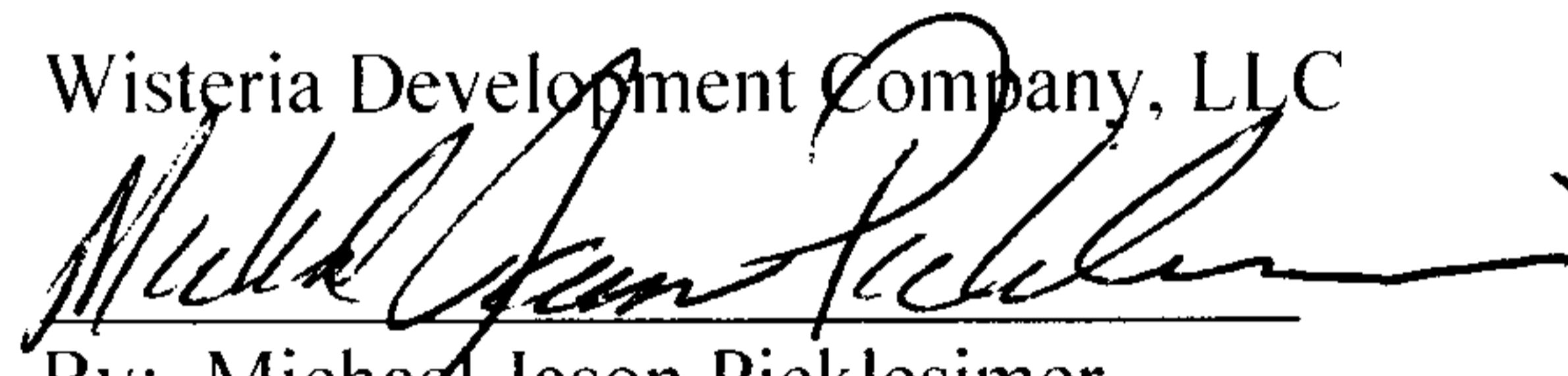
6. Paragraph 5.19(i). The provisions of this paragraph shall not apply to side courtyard areas. Except as expressly stated herein, all other terms and provisions of Paragraph 5.19(i) shall remain in full force and effect.

7. Paragraph 6.7 Amount of Assessments. The initial annual assessment fee shall be \$220.00 per year. Except as expressly stated herein, all other terms and provisions of Paragraph 6.7 shall remain in full force and effect.

Except as expressly stated herein, all other terms and provisions of the Declaration remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed by its members on this 22nd day of April, 2008.

Wisteria Development Company, LLC


By: Michael Jason Picklesimer
Its: Manager

STATE OF ALABAMA)
COUNTY OF SHELBY)

On April 22, 2008, before me the undersigned Notary Public, in and for said County and State, personally appeared Michael Jason Picklesimer, as Manager of Wisteria Development Company, LLC, known to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that, being informed of the contents thereof, he executed the same voluntarily and on behalf of said LLC on the date same bears date.

WITNESS my hand and official seal.



Signature NOTARY PUBLIC

My commission expires: 5-13-2008

Wisteria Development Company, LLC

Roger Massey
By: Roger Massey
Its: ~~Manager~~ *Member*

STATE OF ALABAMA)
COUNTY OF SHELBY)

On April 22, 2008, before me the undersigned Notary Public, in and for said County and State, personally appeared Roger Massey, as Manager of Wisteria Development Company, LLC, known to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that, being informed of the contents thereof, he executed the same voluntarily and on behalf of said LLC on the date same bears date.

WITNESS my hand and official seal.

[Signature]
Signature NOTARY PUBLIC

My commission expires: 5-13-2008

A. J. & Sons Construction, L.L.C.

Michael Jason Picklesimer
By: Michael Jason Picklesimer
Its: Manager

STATE OF ALABAMA)
COUNTY OF SHELBY)

On April 22, 2008, before me the undersigned Notary Public, in and for said County and State, personally appeared Michael Jason Picklesimer, as Manager of A. J. & Sons Construction, L.L.C., known to me to be the person whose name is subscribed to the above and foregoing instrument and acknowledged to me that, being informed of the contents thereof, he executed the same voluntarily and on behalf of said LLC on the date same bears date.

WITNESS my hand and official seal.

[Signature]
Signature NOTARY PUBLIC

My commission expires: 5-13-2008